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FILED

Sept. 21, 2005

CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY KYMBERLY A. SMITH
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CR. NO. S-04-156 EJG
11 Plaintiff,) MOTION AND ORDER
12 v.) DISMISSING WRIT OF HABEAS
13 STEPHEN STEWART,) CORPUS
14 Defendant.)
15 _____

16 The United States of America, by and through its attorneys,
17 McGregor W. Scott, United States Attorney for the Eastern
18 District of California, and Kymberly A. Smith, Assistant United
19 States Attorney for said district, respectfully requests that
20 this Court dismiss the Writ of Habeas Corpus for Raymond Hill, in
21 the above captioned case on the basis that the trial date of
22 September 26, 2005 has been vacated.

23 DATED: September 21, 2005

MCGRREGOR W. SCOTT
United States Attorney

25 By: /s/ Kymberly A. Smith
26 KYMBERLY A. SMITH
27 Assistant U.S. Attorney

O R D E R

IT IS ORDERED THAT the above-captioned Writ of Habeas Corpus for RAYMOND HILL be and the same hereby is **DISMISSED**.

DATED: 9/21/05

Edward J. Garcia
HONORABLE EDWARD J. GARCIA
United States District Judge